

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JOSEPH DEAN BYRD,)	
)	No. CV-10-0361-CI
Plaintiff,)	
)	ORDER ADOPTING REPORT AND
v.)	RECOMMENDATION
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social)	
Security,)	
Defendant.)	

Magistrate Judge Imbrogno filed a Report and Recommendation on July 11, 2012, recommending Defendant's Motion for Summary Judgment be granted and Plaintiff's Motion for Summary Judgment be denied. (ECF No. 15.) Plaintiff is represented by attorney Tom G. Cordell; Defendant is represented by Special Assistant United States Attorney Richard M. Rodriguez. Objections to the Report and Recommendations were due on or before July 25, 2012. There being no objections filed, the court **ADOPTS** the Report and Recommendation. Accordingly, **IT IS ORDERED:**

1. Defendant's Motion for Summary Judgment (**ECF No. 13**) is **GRANTED;**
2. Plaintiff's Motion for Summary Judgment (**ECF No. 11**) is **DENIED;**

1 The District Court Executive is directed to file this Order and
2 provide a copy to counsel for Plaintiff and Defendant. Judgment
3 shall be entered for **Defendant**, and the file shall be **CLOSED**.

4 DATED this 10th day of August, 2012.

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6 ***s/Lonny R. Suko***

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8 LONNY R. SUKO
9 United States District Judge
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